

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Richard Glanda, Personal Representative
of the Estate of Helen Glanda,

Plaintiff,

v.

Case No. 08-11271

Twenty Pack Management Corp., *et al.*,

Honorable Sean F. Cox

Defendants.

ORDER OF DISMISSAL

Plaintiff filed this action on March 24, 2008. On December 2, 2008, this Court issued an order directing Plaintiff to show cause why this action should not be dismissed for failure to prosecute. (Docket Entry No. 7).

On December 12, 2008, Plaintiff filed a submission titled, "Cause As To Why This Case Should Not Be Dismissed For Failure To Prosecute," wherein Plaintiff states that the parties to this action "have agreed to submit the companion case to the present case, Case No. 2:07-CV-13263, to binding arbitration" and that Plaintiff "anticipates that the parties will file a mutually acceptable order of dismissal to this Court." (Docket Entry No. 8).

On January 29, 2009, the parties filed a Stipulated Order of Dismissal in Case No. 07-13263. To date, however, no stipulated order dismissing this action has been submitted and no further action has taken place in this action.

On April 14, 2009, this Court issued a "Second Order to Show Cause" that ordered Plaintiff to show cause, in writing no later than April 20, 2009, why this action should not be dismissed for failure to prosecute.

Plaintiff has failed to respond to the Second Order to Show Cause and the time for doing so has passed. Accordingly, **IT IS ORDERED** that this action is hereby **DISMISSED** for failure to prosecute.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: April 29, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 29, 2009, by electronic and/or ordinary mail.

S/Jennifer Hernandez
Case Manager